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09/515,809

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Steve Trong

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EXAMINER

BROWN, CHRISTOPHER J

ART UNIT

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Please find below and/or attached an Office communication concerning this application or proceeding.

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**BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES**

Application Number: 09/515,809
Filing Date: February 29, 2000
Appellant(s): TRONG, STEVE

Bruce Hayden
For Appellant

EXAMINER'S ANSWER

This is in response to the appeal brief filed 4/4/08 appealing from the Office action mailed 4/10/07.

(1) Real Party in Interest

A statement identifying by name the real party in interest is contained in the brief.

(2) Related Appeals and Interferences

The examiner is not aware of any related appeals, interferences, or judicial proceedings which will directly affect or be directly affected by or have a bearing on the Board's decision in the pending appeal.

Art Unit: 2134

(3) Status of Claims

The statement of the status of claims contained in the brief is correct.

(4) Status of Amendments After Final

The appellant's statement of the status of amendments after final rejection contained in the brief is correct.

(5) Summary of Claimed Subject Matter

The summary of claimed subject matter contained in the brief is correct.

(6) Grounds of Rejection to be Reviewed on Appeal

The appellant's statement of the grounds of rejection to be reviewed on appeal is correct.

(7) Claims Appendix

The copy of the appealed claims contained in the Appendix to the brief is correct.

(8) Evidence Relied Upon

6,041,054	WESTBERG	3-2000
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6,061,797	JADE	5-2000
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(9) Grounds of Rejection

The following ground(s) of rejection are applicable to the appealed claims:

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 15-17, 19-21, 23-25 are rejected under 35 U.S.C. 102(e) as being anticipated by Westberg US 6,041,054.

Art Unit: 2134

As per claims 15, 19, and 23 Westberg teaches receiving connection information from a module in a routing system (Col 7 lines 1-17). Westberg teaches determining a connection identifier for said connection (Col 7 line 13). Westberg teaches embedding said connection id into said connection information (Col 7 lines 15-17). Westberg teaches storing said connection information needed by a module to support said connection with said connection id into memory (Col 7 lines 10-12). It is inherent as part of the internet that Westberg teaches a routing system.

As per claims 16, 20, 24 Westberg teaches detecting a new connection and generating a new connection identifier (Col 6 line 64 to Col 7 line 3).

As per claims 17, 21, 25 Westberg teaches the connection identifier comprises both the source address and a destination address (Col 7 lines 4-6).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 18, 22, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Westberg US 6,041,054 in view of Jade US 6,061,797

Art Unit: 2134

As per claim 18, 22, and 26 Westberg reaches a connection identifier system but does not teach a firewall.

Jade teaches a firewall making connection requests (Col 3 lines 30-35).

It would have been obvious to one of ordinary skill in the art to use the firewall of Jade with the system of Westberg in order to provide an increased level of security.

(10) Response to Argument

Appellant argues that as per claim 15, Westberg does not teach a module receiving connection information to support said connection. Appellant argues that Westberg sends a connection identifier rather than a source and destination address and further that Westberg does not teach embedding a connection identifier with connection information..

The examiner argues that the CID, or connection ID, is embedded with, or into the connection information. The CID is embedded into the AAL2 minicell header, and the (source/destination/connection/flow information) is embedded in the "full header" that is initially sent to establish a connection with a receiver (Col 7 lines 3-9). Westberg teaches that subsequent headers to the initial packet only need the connection identifier in the AAL2 minicell header. However, the initial information must include an AAL2 minicell header, a full header, and is embedded together in the packet, thus Westberg teaches a receiving an initial packet with connection information, wherein said connection information is needed to support said connection. The connection identifier of Westberg is meaningless without first associating it with source/destination/connection/flow information.

Appellant broadly defines "module" as any application of any network layer in the system (page 16). Any application of any receiver would need connection information to maintain that connection. Westberg

Art Unit: 2134

teaches sending such connection information to the receiving point, and thus meets the limitations of claim 15.

Appellant argues that further independent claims are allowable for reasons as argued for claim 15. For clarifications sake, the "claim 1" that the appellant refers to on page 7, and 8, is being interpreted as independent claim 15, since claims 1-14 have been cancelled.

(11) Related Proceeding(s) Appendix

No decision rendered by a court or the Board is identified by the examiner in the Related Appeals and Interferences section of this examiner's answer.

For the above reasons, it is believed that the rejections should be sustained.

Respectfully submitted,

/Christopher J Brown/

Primary Examiner, Art Unit 2134

Conferees:

/KimYen Vu/

Supervisory Patent Examiner, Art Unit 2135

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